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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,444	02/19/2004	Anthony Edward Martinez	AUS920031056US1	5166

7590 04/07/2008
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EXAMINER

THOMAS, ASHISH

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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04/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/782,444	Applicant(s) MARTINEZ, ANTHONY EDWARD	
	Examiner ASHISH K. THOMAS	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/19/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogaki(U.S. 6,771,383).

Regarding claim 1, Ogaki teaches a method for processing a separator page used for separating print jobs being output from a printer system(**Column 4, lines 44-48 teaches the creation of a separator page.**), said method comprising: receiving an input separator page for use in identifying a first print job(**Column 8, lines 1-6 details a scenario wherein a separator sheet is used for each print document.**); determining if said input separator page contains any prior print job information(**Column 8, lines 7-15 details a scenario wherein information pertaining to other jobs are compared.**); obscuring said prior print job information if said prior print job information is determined to be present on said input separator page(**Column 11, lines 40-55 teaches a scenario wherein previously recorded information is deleted.**); and printing current print job information on said input separator page thereby providing a first print job

separator page. **(Figure 13 illustrates that a separator page is printed with each print job.)**

Regarding claim 2, Ogaki further teaches the method as set forth in claim 1 wherein said determining includes obtaining a bit map image of said input separator page. **(Column 7, lines 40-44 teaches that an image of the separator sheet is obtained. This reads on the concept of obtaining the bit map image, as stated in the claim language.)**

Regarding claim 3, Ogaki further teaches the method as set forth in claim 1 wherein said determining is accomplished by scanning said input separator page using an optical scanning device. **(Column 7, lines 34-37 teaches an image reading section, which in turn inherently teaches the existence of a scanner. Note that images cannot be read without a scanning mechanism.)**

Regarding claim 4, Ogaki additionally teaches the method as set forth in claim 1 wherein said determining is accomplished by obtaining a photo image of said input separator page. **(As stated previously, column 7, lines 40-44 teaches that an image is obtained. Using the broadest reasonable interpretation of the claim language, this reads on the concept of a photographic image.)**

Regarding claim 5, Ogaki additionally teaches the method as set forth in claim 1 and further including: printing said first print job; assembling said first print job with said first print job separator page; and outputting said first print job with said first print job separator page from said printer. **(Note that column 8, lines 7-15 teaches that a**

separator page is attached to each print job, and the combined documents are outputted accordingly.)

Regarding claim 6, The method as set forth in claim 1 and further including: inputting said first print job separator page containing said first print job information for receiving by said printer system for processing a second input separator page to be used to identify a second print job. **(Column 8, lines 7-15 also teaches a plurality of print jobs and their respective separator pages. This reads on the second print job.)**

Regarding claim 7, it is rejected in the same manner as claim 1. Note that claim 7 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 1.

Regarding claim 8, it is rejected in the same manner as claim 2. Note that claim 8 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 2.

Regarding claim 9, it is rejected in the same manner as claim 3. Note that claim 9 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 3.

Regarding claim 10, it is rejected in the same manner as claim 4. Note that claim 10 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 4.

Regarding claim 11, it is rejected in the same manner as claim 5. Note that claim 11 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 5.

Regarding claim 12, it is rejected in the same manner as claim 6. Note that claim 12 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 6.

Regarding claim 13, it is rejected in the same manner as claim 1. Note that claim 13 claims a printing system that corresponds to the method stated in claim 1. Claim 13 slightly differs from claim 1 by explicitly pointing out an image acquisition device. Note that column 7, lines 34-50 teaches an image reading section. This image reading section reads on the image acquisition device stated in the claim.

Regarding claim 14, it is rejected in the same manner as claim 2. Note that claim 14 claims a printing system that corresponds to the method stated in claim 2.

Regarding claim 15, it is rejected in the same manner as claim 3. Note that claim 15 claims a printing system that corresponds to the method stated in claim 3.

Regarding claim 16, it is rejected in the same manner as claim 4. Note that claim 16 claims a printing system that corresponds to the method stated in claim 4.

Regarding claim 17, it is rejected in the same manner as claim 5. Note that claim 17 claims a printing system that corresponds to the method stated in claim 5.

Regarding claim 18, it is rejected in the same manner as claim 6. Note that claim 18 claims a printing system that corresponds to the method stated in claim 6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached on 9:00 a.m. - 5:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625

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